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UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA  
LOS ANGELES DIVISION

In re ) Case No. 2:14-bk-25039-NB  
)  
) Chapter 13  
)  
Regina Delorse Hill, and Michael Dermont )  
Hill, ) **OPPOSITION TO DEBTORS' MOTION**  
) **TO AVOID JUNIOR LIEN**  
Debtors. )  
) **Hearing:**  
) Date: 11/13/2014  
) Time: 8:30 AM  
) Ctrm: 1545  
)  
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SRP 2012-4, LLC, its assignees and/or successors, by and through its servicing agent Seneca Mortgage Servicing LLC, "Respondent" in the above-entitled Bankruptcy proceeding, hereby submits the following Opposition to Motion to Avoid Junior Lien proposed by Debtors, Regina Delorse Hill and Michael Dermont Hill ("Debtors").

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**STATEMENT OF FACTS**

1  
2 1. Respondent holds a Promissory Note which is secured by a Junior Deed of Trust  
3 on the subject property commonly known as 42859 59th St W, Lancaster, CA 93536 ("subject  
4 property").

5 2. The total amount of Respondent's secured claim filed 10/27/2014 is \$206,507.13.

6 3. Debtors filed their Motion to Avoid Lien on 10/9/2014 proposing to value the  
7 subject property at \$280,000.00, and avoid Respondent's lien, rendering it an unsecured claim of  
8 \$0.00. Please see docket no. 25.

9 4. Debtor's stated value is different from Respondent's value. Please see  
10 Respondent's Broker Price Opinion attached hereto as **Exhibit A**, which values the subject  
11 property at \$332,000.00 as of 9/15/2014. This amount is also higher than the amount owed to  
12 the first position deed of trust holder, Bank of America, which is owed \$290,113.82. Please see  
13 Debtors' Motion filed 10/09/2014, docket no. 25, pg. 3.

14 5. Respondent now opposes Debtors' Motion and requests that this Court allow an  
15 additional 45 days for Respondent to obtain an appraisal of the subject property.

**CONCLUSION**

16  
17 WHEREFORE, Respondent prays as follows:

- 18 1. That Debtor's Motion for Valuation of Security be denied;  
19 2. Alternatively, for additional time to obtain an appraisal; and  
20 2. For such other relief as this Court deems proper.

21  
22  
23 Dated: 10/29/2014

Respectfully submitted,  
McCarthy & Holthus, LLP

24  
25 By: /s/ Merdaud Jafarnia, Esq.  
26 Merdaud Jafarnia, Esq.  
27 Attorney for Respondent  
28 SRP 2012-4, LLC, its assignees and/or  
29 successors, by and through its servicing  
agent Seneca Mortgage Servicing LLC

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:  
1770 Fourth Avenue  
San Diego, CA 92101

A true and correct copy of the foregoing document entitled (*specify*): **OPPOSITION TO DEBTOR'S MOTION TO AVOID LIEN** will be served or was served (**a**) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (**b**) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) **10/29/2014**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

**TRUSTEE**

Kathy A Dockery  
efiling@CH13LA.com

**DEBTOR(S) COUNSEL**

Daniel King  
dking@TheGenesisLaw.com

**US TRUSTEE**

ustpregion16.la.ecf@usdoj.gov

☐ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On (*date*) **10/29/2014**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

**DEBTOR(S)**

Michael Dermont Hill, 42859 59th Street West, Lancaster, CA 93536

Regina Delorse Hill, 42859 59th Street West, Lancaster, CA 93536

**JUDGE'S COPY**

The Honorable Judge, Neil W. Bason, United States Bankruptcy Court - Los Angeles Division, 255 E. Temple Street, Suite 1552, Los Angeles, CA, 90012

☒ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) \_\_\_\_\_, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

**10/29/2014**

*Date*

**David Fry**

*Printed Name*

**/s/ David Fry**

*Signature*

## **ADDITIONAL SERVICE INFORMATION**

### **SPECIAL NOTICE(S)**

Exeter Finance Corp, P.O. Box 201347, Arlington, TX 76006